

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

DEANNA L. DANIELS-KERR,

Appellant

v.

MONTE G. CROSBY.

Respondent

DOCKET NUMBER WD78484

DATE: March 29, 2016

Appeal From:

Circuit Court of Cass County, MO
The Honorable R. Michael Wagner, Judge

Appellate Judges:

Division Four
Alok Ahuja, P.J., Anthony Rex Gabbert, J., Thomas Fincham, Sp. J.

Attorneys:

Kenneth C. Hensley, Raymore, MO,

Counsel for Appellant

Attorneys:

Daniel Joseph Haus, Kansas City, MO

Counsel for Respondents

**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

DEANNA L. DANIELS-KERR,

Appellant,

v.

MONTE G. CROSBY,

Respondents.

WD78484

Cass County

Before Division Four Judges: Alok Ahuja, P.J., Anthony Rex Gabbert, J., Thomas Fincham, Sp. J.

Deanna L. Daniels-Kerr (Daniels-Kerr) appeals the circuit court's judgment entered against her and in favor of Monte G. Crosby (Crosby) on Daniels-Kerr's Second Amended Petition for Adverse Possession and to Quiet Title. Daniels-Kerr contends that the circuit court erred when: (1) it ruled against her on her claim of adverse possession because the court's ruling was against the weight of the evidence, and; (2) ruled against her on her claim for an easement by prescription because the court's ruling was against the weight of the evidence.

AFFIRMED

Division Four holds:

- (1) The circuit court's finding that, Daniels-Kerr failed to establish title to the disputed land by adverse possession was not against the weight of the evidence.
- (2) The circuit court's finding that, Daniels-Kerr failed to prove a prescriptive easement to the lane located on the disputed land was not against the weight of the evidence.

Opinion by Anthony Rex Gabbert, Judge

Date:3/29/16

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